

**IN THE CLAIMS**

1. (currently amended) A device for surgical or therapeutic use for, particularly implants and surgical instruments as well as their accessories, comprising a body having a polished metal surface to be kept sterile for use, said polished surface coated with a layer of polymeric material being modified to have antibacterial effect.

2. (cancelled)

3. (currently amended) The device according to claim 1, wherein the ~~surface~~ has a layer that releases ions with an antibacterial effect.

4. (original) The device as set forth in claim 3 wherein the ions are silver ions.

5. (original) The device according to claim 3, wherein the layer has a matrix, preferably made of plastic, that serves to continuously release ions with an antibacterial effect, particularly silver ions.

6. (currently amended) The device according to claim 1, wherein the surface layer comprises ~~consists at least partially of a resorbable and non-resorbable plastic, particularly of polylactides (PLA), poly-L-lactides (PLLA), particularly of tricalcium (TCP), hydroxyapatite (HA) polyetheretherketone (PEEK), as well as ultra high molecular weight polyethylene (UHMWPE),~~ including a substance that releases ions with an antibacterial effect.

7. (cancelled)

8. (currently amended) The device according to claim ~~16~~, wherein the layer ~~consists at least partially of ceramic material, particularly of tricalcium phosphate (TCP), hydroxyapatite (HA), which layer includes a substance that releases silver ions with an antibacterial effect.~~

9. (currently amended) A device for surgical or therapeutic use, particularly implants and surgical implants as well as their accessories, comprising a body having a polished metal surface to be kept sterile for use, said polished surface coated with a layer of material being modified to have antibacterial effect ~~The device according to claim 1,~~ wherein the surface is provided with a layer of material selected from the group consisting of titanium nitride oxide, titanium niobium ceramic, titanium zirconium ceramic, an anode oxidation Type II of titanium and combinations thereof.

10. (cancelled)

11. (currently amended) The device according to claim ~~1~~9, wherein the surface is provided with a layer that contains hydroxyapatite.

12. (currently amended) The device according to claim ~~1~~9, wherein the surface is provided with a layer that contains calcium phosphate.

13. (currently amended) The device according to claim ~~1~~9, wherein the surface is provided with a layer that contains tantalum oxide.

14. (currently amended) The device according to claim ~~1~~9, wherein the surface is provided with a layer that contains magnesium.

15. (currently amended) The device as set forth in claim ~~1~~9 further comprising a layer consisting of a member selected from the group of hydroxyapatite, calcium phosphate, tantalum oxide, magnesium.

16. (cancelled)

17. (currently amended) A device for surgical or therapeutic use, particular implants and surgical instruments as well as their accessories, comprising a body having a polished metal surface to be kept sterile for use, said polished surface coated with a layer of

~~material being modified to have antibacterial effect~~  
The device according to claims 1, wherein the metal surface has an electrostatic charge.

18. (previously presented) The device according to claim 17, wherein the surface briefly has an electrical voltage applied to it to produce said electrostatic charge.

19. (original) The device according to claim 17, wherein an adapter is provided to generate an electrical potential at the surface by means of a voltage source, particularly an alternating voltage source.

20. (cancelled)

21. (currently amended) A flowable implantable substance for medical technology use, comprising a substance that releases silver ions ~~with~~ having an antibacterial effect.

22. (currently amended) A method for producing an antibacterial effect on a metal device for medical use comprising:

polishing the surface of the metal device;

coating the surface of the polished device with a layer, including a member selected from the group consisting of silver ions, wherein the silver ions are incorporated in a layer selected from the group consisting of hydroxyapatite, calcium phosphate, polylactide (PLA), poly-L-lactide (PLLA), ultra high molecular weight polyethylene (UHMWPE), polymethylmethacrylate, polyetheretherketone (PEEK), and tricalcium phosphate (TCP) ~~copper ions, titanium nitride oxide, titanium niobium ceramic, titanium zirconium, ceramic anode oxidation Type II of titanium, tantalum oxide, magnesium and combinations thereof which layer is modified to have an antimicrobial effect.~~

23. (previously presented) The method as set forth in claim 22 further comprising applying an electric current to said device to form an electrostatic charge.

24. (cancelled)

25. (currently amended) A device for surgical or therapeutic use, particularly implants and surgical instruments as well as their accessories, comprising a body with a surface to be kept sterile for use, said surface being modified to have antibacterial effect, wherein the surface has a layer that releases ions with the antibacterial effect and said layer has a matrix made of a resorbable materials that releases silver ions.

26. (previously presented) The device as set forth in claim 25 wherein the resorbable material is made of plastic.

27. (previously presented) The device as set forth in claim 26 wherein the resorbable plastic consists at least of one member selected from the group of polylactides (PLA) and poly-L-lactides (PLLA).

28. (currently amended) The device according to claim 25 wherein the resorbable material is made of ceramic material, including a substance that releases silver ions with antibacterial effect.

29. (currently amended) The device as set forth in claim ~~24~~28 wherein the resorbable material is selected from the group of tricalcium phosphate (TCP) and hydroxyapatite (HA).

30. (previously presented) The device as set forth in claim 25 wherein the layer contains a member selected from the group consisting of hydroxyapatite, tantalum oxide, magnesium and calcium compounds.